

April 27, 2004

HAND DELIVER

Mary L. Cottrell, Secretary  
Department of Telecommunications and Energy  
One South Station  
Boston, Massachusetts 02110

Re: The Berkshire Gas Company, D.T.E. 02-19

Dear Secretary Cottrell:

Enclosed please find the Motion for Extension of Confidential Treatment of The Berkshire Gas Company (the "Company"). The Motion is filed consistent with the ruling of the Hearing Officer of the Department of Telecommunications and Energy (the "Department") at the May 24, 2002 public hearing in response to an earlier motion for confidential treatment of the Company dated April 5, 2002 filed in docket D.T.E. 02-19. The Hearing Officer granted protected treatment to confidential or proprietary materials submitted by the Company in this proceeding for a period commensurate with the two-year terms of the Gas Portfolio Optimization Agreement and the Gas Sales and Purchase Agreement submitted for Department review in docket D.T.E. 02-19.

The Company's submission in this docket had requested approval of forms of Gas Portfolio Optimization Agreement and a Gas Sales and Purchase Agreement that were substantially similar to the agreements approved in docket D.T.E. 01-41. The Company has recently executed a third version of these agreements for the term commencing April 1, 2004 and ending March 31, 2007 (the "2004 Agreements"). The Company has submitted the 2004 Agreements pursuant to a letter dated April 27, 2004 together with a motion for confidential treatment of competitively sensitive portions of these new agreements. Materials granted confidential treatment in D.T.E. 01-41 and D.T.E. 02-19 therefore remain competitively sensitive with respect to the Company's operations pursuant to the new agreements. Accordingly, for all the reasons contained in the enclosed motion, the Company respectfully requests that the Department extend the protected treatment granted in docket D.T.E. 02-19 for, at a minimum, a period commensurate with the term of the 2004 Agreements.

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Please contact me if you require further assistance with respect to this matter.

Thank you for your consideration.

Very truly yours,

BROWN RUDNICK BERLACK ISRAELS LLP

By: \_\_\_\_\_  
James M. Avery

JMA/cdw  
Enclosure

cc: George Yiankos, Director, Gas Division (w/enc via hand delivery)  
Andrew O. Kaplan, Esq., General Counsel (w/enc via hand delivery)  
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